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**MATT BLUNT**

**SECRETARY OF STATE**

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule.

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The rules are cited in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

**RSMo**—Cite material in the RSMo by date of legislative action. The note in parentheses gives the original and amended legislative history. The Office of the Revisor of Statutes recognizes that this practice gives users a concise legislative history.

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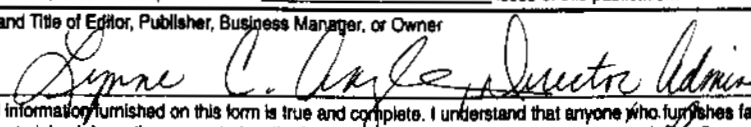
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**R**ules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

**R**ules filed as emergency rules may be effective not less than ten days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

**A**ll emergency rules must state the period during which they are in effect, and in no case can they be in effect more than 180 calendar days or 30 legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

## Title 11—DEPARTMENT OF PUBLIC SAFETY Division 50—Missouri State Highway Patrol Chapter 2—Motor Vehicle Inspection Division

### EMERGENCY AMENDMENT

**11 CSR 50-2.020 Minimum Inspection Station Requirements.** The division proposes to amend subsection (2)(A) by adding a new paragraph 11.

*PURPOSE: This amendment is being made to require inspection stations to have a device capable of checking the light transmission of tinted windows as required by section 307.173.*

*EMERGENCY STATEMENT: This emergency amendment will help assure public health, safety and welfare by providing a procedure for identifying vehicles with excessive window tint on the side and rear windows. The legislature has found that tinted side and rear windows in excess of 35% ± 3% are a hazardous situation for both law enforcement personnel and the motoring public. Senate Bill 244 was enacted as a means to address excessive window tint. The patrol finds an immediate danger to public health, safety and welfare to the citizens of Missouri and a compelling governmental interest, which requires emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. The patrol believes this emergency*

*regulation to be fair to all interested persons and parties under the circumstances. This emergency rule was filed August 15, 2001, effective August 28, 2001, and expires February 28, 2002.*

(2) Equipment.

(A) All inspection stations, except Class C, must have the following equipment which must be arranged and located at or near the inside inspection area:

1. Brake performance. Some method of testing the service brake performance will be required. The use of a decelerometer, brake testing machine, dynamometer or drive and stop test will be recognized;

2. Brake lining gauge. A gauge will be required to determine the remaining thickness in fractions of an inch of both bonded and riveted linings;

3. Brake pad gauge. Some type of gauging device to accurately measure the remaining thickness of the brake pad in fractions of an inch while the pad is within the caliper assembly;

4. Ball joint gauge. A ball joint gauge to accurately measure any looseness in the load-carrying ball joint. The gauge must be adapted to measure vertical (up and down) and horizontal (side-to-side) movement;

5. Lift or jack. A lift or jack, capable of hoisting a vehicle properly to check ball joints, suspension linkage and wheel play. If a lift is used, it must be the type which allows the front wheels to be suspended by lifting under the outer extremity of a motor vehicle's lower control arm, cross member or frame;

6. Scraper. A scraper to remove old stickers;

7. Measuring device. Yardstick or steel tape preferred;

8. Punch. An open face paper punch with a round die to validate inspection stickers and decals;

9. A tire tread depth gauge which is graduated into one-thirtieth-second inch (1/32") increments must be part of the equipment at inspection stations that inspect school buses; *[and]*

10. A one-eighth inch (1/8") drawstring over thirty inches (30") in length with a one-half inch (1/2") hex nut attached to one (1) end to check handrails is required if the station will be inspecting school buses.; *and*

11. A device which is capable of measuring or comparing the light transmission of all tinted windows.

*AUTHORITY: section 307.360, RSMo [1994] 2000. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Aug. 15, 2001, effective Aug. 28, 2001, expires Feb. 28, 2002. A proposed amendment covering this same material is published in this issue of the Missouri Register.*

## Title 11—DEPARTMENT OF PUBLIC SAFETY Division 50—Missouri State Highway Patrol Chapter 2—Motor Vehicle Inspection Division

### EMERGENCY AMENDMENT

**11 CSR 50-2.270 Glazing (Glass).** The division proposes to amend subsection (5)(C) and paragraph (5)(C)1.

*PURPOSE: This amendment is being made to establish procedures for inspection stations to follow when inspecting vehicles with after-market tinted windows.*

*EMERGENCY STATEMENT: This emergency amendment will help assure public health, safety and welfare by providing a procedure for identifying vehicles with excessive window tint on the side and rear windows. The legislature has found that tinted side and rear*

*windows in excess of 35%  $\pm$  3% are a hazardous situation for both law enforcement personnel and the motoring public. Senate Bill 244 was enacted as a means to address excessive window tint. The patrol finds an immediate danger to public health, safety and welfare to the citizens of Missouri and a compelling governmental interest, which requires emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The patrol believes this emergency regulation to be fair to all interested persons and parties under the circumstances. This emergency rule was filed August 15, 2001, effective August 28, 2001, and expires February 28, 2002.*

(5) Reject vehicle if:

(C) *[Any manufactured vision reducing material is applied to any portion of the motor vehicle's windshield, side wings or windows located immediately to the left and right of the driver which reduces visibility from within or without the motor vehicle, except any label, sticker, decal-comania, or informational sign required by law, ordinance or regulation may be affixed as directed. (Do not reject vehicle for tinting material applied to the uppermost portion of the motor vehicle's windshield which is normally tinted by the manufacturer of motor vehicle safety glass.)] After-market vision reducing material is applied to the vehicle's side and/or rear windows which allows less than 35%  $\pm$  3% light transmission;*

1. *[Do not reject a motor vehicle for which the current vehicle owner submits a window tinting permit SHP-524B, issued by the Missouri State Highway Patrol. Record the number of the window tinting permit on the MVI-2 form (see 11 CSR 50-2.120) in the space entitled "Defective Parts" by entering the following statement: Tinting Permit #\_\_\_] Inspector/mechanics will determine whether tinted glass is factory installed or an after-market application. All tinted windows, except those with factory installed tinted glass, will be inspected for light transmission by use of window tint comparison strips or other device capable of measuring light transmission. Once a comparison or reading is taken, the results will be recorded on the MVI-2 form in the space entitled "Defective Parts" identifying the window(s) measured and the results of the comparison or readings;*

*AUTHORITY: section 307.360, RSMo [1994] 2000. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Aug. 15, 2001, effective Aug. 28, 2001, expires Feb. 28, 2002. A proposed amendment covering this same material is published in this issue of the Missouri Register.*